

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff

NO. CR19-146JCC

v.

MARIE CHRISTINE FANYO-PATCHOU,  
RODRIGUE FODJO KAMDEM, and,  
CHRISTIAN FREDY DJOKO,

JOINT DEFENSE MEMORANDUM  
REGARDING PROPOSED SCHEDULING  
ORDER AND STATUS CONFERENCE

Defendants.

A status hearing was held November 10, 2020. In August, the parties filed a joint motion to strike the trial date and schedule a status hearing in light of the COVID-19 pandemic, its impact on the safety of the Court, the parties and prospective jurors, as well as the respective investigations and preparation by the parties and thus, the effective assistance of counsel.

Marie Christine Fanyo-Patchou is represented by Michael P. Iaria and Neil M. Fox. Rodrigue Fodjo Kamdem's counsel, Cynthia B. Jones and Robert Flenbaugh II. Christian Fredy Djoko is represented by Jennifer Wellman, Gregory Geist, and Ann Wagner. Defense counsel agreed to a trial in June 2021, but noted their concern that, absent a scheduling order to manage the flow of the case, another continuance may not be avoided. The defense agreed upon the attached scheduling order and included in it a number of key dates, most importantly the early production of *Jencks*, notification of 404(b) evidence and expert witnesses and preliminary witness lists. The government will not agree to the proposed schedule. Accordingly, the defense agrees that a status hearing should be scheduled to address the proposed orders by the defense and government.

1 The defense would also appreciate if the Court addressed the following two issues at the  
2 hearing:

- 3 • In keeping with the Due Process Protection Act 2020, admonish and enter an Order  
4 reminding the government of its obligations pursuant to *Brady v. Maryland* and its  
5 progeny to disclose exculpatory information, as required by applicable statute and case  
6 law. The failure to do so in a timely manner may result in dismissal of the indictment,  
7 dismissal of individual charges, exclusion of government evidence or witnesses or any  
8 other remedy that is just under the circumstances.
- 9 • Whether the parties should work with the Court to secure a venue that can safely  
10 accommodate the trial with multiple defendants and attorneys in light of the ongoing  
11 COVID-19 pandemic.

12 Dated this 24th day of November 2020.

13 Respectfully submitted,

14 s/ Gregory Geist

15 s/ Jennifer E. Wellman

16 Assistant Federal Public Defenders

17 Attorneys for Christian Fredy Djoko

18 s/ Robert Flennaugh II

19 s/ Cynthia Jones

Attorneys for Rodrigue Fodjo Kamdem

20 s/ Neil M. Fox

21 s/ Michael P. Iaria

22 Attorneys for Marie Christine Fanyo-Patchou